



JFW
Docket No. 1572.1241

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Je-hyoung RYU et al.

Group Art Unit: 2863

Serial No.: 10/820,747

Examiner: Michael P. NGHIEM

Filed: April 9, 2004

For: INSPECTING APPARATUS FOR SEMICONDUCTOR DEVICE

**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE
PATENTING REJECTION (37 C.F.R. 1.321(c))**

04/28/2006 JADD01 00000055 10020747

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

01 FC:1014

130.00 OP

Sir:

Petitioner, Samsung Electronics Co., Ltd. of 416, Maetan-dong, Yeongtong-gu, Suwon-si, Gyeonggi-do, Republic of Korea, is the owner of one hundred percent interest in the instant application by virtue of an Assignment recorded on April 9, 2004 at Reel 015195, Frame 0406.

Petitioner has reviewed the evidentiary Assignment documents, and to the best of the undersigned's knowledge and belief, the title is in the name of Samsung Electronics Co., Ltd., as specified previously. Petitioner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term of any patent granted on pending second application, Application Number 10/820,748, filed on April 9, 2004, the term being defined in 35 USC 154 to 156 and 173, as shortened by any terminal disclaimer filed prior to the grant of any patent on the pending second application. Petitioner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the second application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

Serial No. 10/820,747
Art Unit 2863

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In making the above disclaimer, petitioner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 USC 154 to 156 and 173 of any patent granted on the second application, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that any such granted patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

The requisite fee under 37 C.F.R. §1.20(d) is attached hereto. In the event any fees are required in connection with the filing of this disclaimer, please charge the same to our deposit account number 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date: April 27, 2006

By: 

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